

Legislative Appropriations Request

For Fiscal Years 2016 and 2017

**Submitted to the
Governor's Office of Budget, Planning and Policy
and the Legislative Budget Board**

by

Court of Appeals, Thirteenth District of Texas

August 4, 2014

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233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

The core function of Texas intermediate appellate courts is to process, review, and decide by written opinion or order appeals from criminal and civil trial courts. Since 2004, the yearly average of new appeals filed in the State of Texas is 10,086. This long term trend of new case filings in concert with an ever increasing number of cases eligible for expedited review clearly demonstrates that the workload within the appellate courts is significant. In order to effectively manage the demands being placed on the appellate courts, the courts must employ a highly skilled and trained professional workforce, including appellate court lawyers and clerical staff, who assist the justices of the court in disposing of cases and researching and writing opinions. This is critical to the court's ability to resolve these legal disputes and dispose of these appeals. The ability to maintain this highly skilled workforce in concert with handling an increase in case filings has been challenged in recent years.

The Texas Government Code §22.214(a) requires that the Thirteenth Court of Appeals district shall be held in the City of Corpus Christi and the City of Edinburg. Because the Thirteenth Court of Appeals operates two offices in two different cities, we are uniquely different from the other appellate courts. The Thirteenth Court of Appeals manages two offices from its budget. Operating two offices requires adequate staffing and additional operating expenses for equipment, travel, and freight.

The courts of appeal initiated steps to address this issue during the 79th and 80th Legislative Sessions, by collectively developing guideline budgets that sought necessary resources to similarly fund same-size appellate courts to: 1) create a career ladder for staff attorneys that would allow for the recruitment and retention of qualified attorneys; 2) reclassify the majority of law clerks as permanent staff attorneys; and 3) make salary adjustments for some non-legal staff to appropriately reflect levels of responsibility.

Going into the 81st Legislative Session, the courts updated the guideline budgets to continue the same-size court initiative of implementing a career ladder for attorneys by more closely matching court attorney salaries to attorney salaries in state agencies and county government; adding one or more permanent staff attorneys; and making appropriate salary adjustments for non-legal staff to reflect increasing levels of responsibility. The Legislature provided a portion of the requested funding, including attorney salaries (capped at a lower amount than requested) and an additional staff attorney position for most courts; however, the partial funding was provided in FY 2011 only. In the interim, as part of state leadership's directive to cut budgets in the face of the national economic downturn, the approved funding was reduced further, such that the courts were able to provide only some staff attorney salary adjustments, but not all courts were able to hire additional staff attorneys.

During the 82nd Legislative Session, the courts of appeal again expressed a critical need to continue working toward full implementation of the guideline budgets. However, the courts collectively decided not to pursue the needed resources due to the continuing economic challenges in Texas. The courts decided to only ask the Legislature not to reduce budgets for FY 2012-13. Despite these efforts, the economic downturn resulted in the courts' budgets being cut approximately 6% from levels appropriated in FY 2011. The state leadership's directive to cut budgets during the 82nd Legislative Session, coupled with a legislative mandate to expedite the processing of parental termination cases and an increased number of case filings, imposed significant pressures on the courts' ability to meet performance objectives and dispose of cases in a timely manner.

In the 83rd Legislative Session, with the improving economy, the courts once again sought the funding necessary to enable the courts to meet their performance objectives and process appeals in a timely manner. The courts requested the funds necessary to fully implement the similar funding for same-sized courts initiative. For FY 2014-15, the Legislature provided half of the funding requested by the courts.

It is critical for the courts of appeals to continue working toward full implementation of the guideline budgets. Funding the remaining half of the amount requested in the 83rd Legislative Session will assist the public's access to justice as the courts continue to meet the increasing demands being placed on them and will increase the courts' ability to meet their performance objectives and minimize backlogs in the appeal process.

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Exceptional Item #1: Similar Funding for Same-Size Courts.

The courts of appeals continue to be challenged in their efforts to recruit and retain top quality staff. Moreover, increasing demands continue to threaten the court's ability to meet its performance objectives. In order to achieve the Court's mission, the Thirteenth Court of Appeals respectfully requests the remaining half of its previous request for similar funding for same-size courts. The funding needed to fully implement this initiative is \$ 422,119.00 in the FY 2016-17 biennium. This amount will proportionally fund the Thirteenth Court of Appeals in relation to similar-sized appellate courts and will enable recruitment and retention of professional staff with the requisite skills and training to facilitate the appeals process.

Appellate work requires specialized knowledge with the ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. Generally, law clerks do not possess the skills necessary to maximize efforts to assist the court in its workload. In addition, entry level support staff lack the requisite skills to fully support the court in its workload. The minimum number of lawyers an appellate court must have to perform at a reasonably productive and efficient level is two lawyers to each judge. Loss of experienced court lawyers creates difficulties in timely processing of and disposing of appeals and in maintaining professional business practices. Funding of this item will allow the court to recruit and retain well qualified professional staff, which is a major factor in the court's ability to fulfill its core function of timely processing and disposing of appeals while maintaining the quality of justice to which the citizens of Texas are entitled.

RIDER REQUESTS:

The court also requests the following with regard to the across-the-board riders found in Article IV (p. IV-42):

- 1) Retain Article IV rider, Sec 4, Appellate Court Exemptions
- 2) Retain article IV rider, Sec 5, Appn: Unexpended Balances Between Fiscal Years within the Biennium
- 3) Delete Article IV rider, Sec 7, Appellate Court Salary Limits
- 4) Retain Article IV rider, Sec 8, Interagency Contracts for Assigned Judges for Appellate Courts.
- 5) Retain Article IV rider, Sec 9, Appellate Court Transfer Authority

Historically, the Legislature has granted the courts exemption from certain limitations in the General Appropriations Act. They have also granted the authority to carryover unexpended budget balances between years of the biennium. The flexibility afforded by these measures enhances the court's management ability, and we seek continuation of these budget features.

The court seeks to delete the rider that establishes salary limits for the chief staff attorney or other permanent legal staff. The provision is antiquated as these positions are subject to the State of Texas Classification Plan.

INFORMATION TECHNOLOGY:

This court supports the consolidated budget approach represented in the biennial appropriations request of the Office of Court Administration. If the OCA's request is not fully funded for the 2016-17 biennium, this court would need additional funds to maintain its own, separate technology network.

CAPPS IMPLEMENTATION:

This Court has been designated as an agency eligible for conversion to CAPPS during the 2016-17 biennium. The Office of Court Administration is seeking additional funds in its biennial budget request to be used in the implementation of CAPPS at the courts of appeals. The Court supports the consolidated budget approach represented in the biennial appropriations request of the OCA. If the OCA's request for CAPPS deployment is not fully funded for the 2016-17 biennium, this Court would need additional funds to implement CAPPS during the biennium, including and not limited to, funds for project management services, backfill of critical positions, training and management services, IT programming support, computer operating and system updates, operation documentation updates, and travel costs.

Administrator's Statement

7/23/2014 3:34:19PM

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

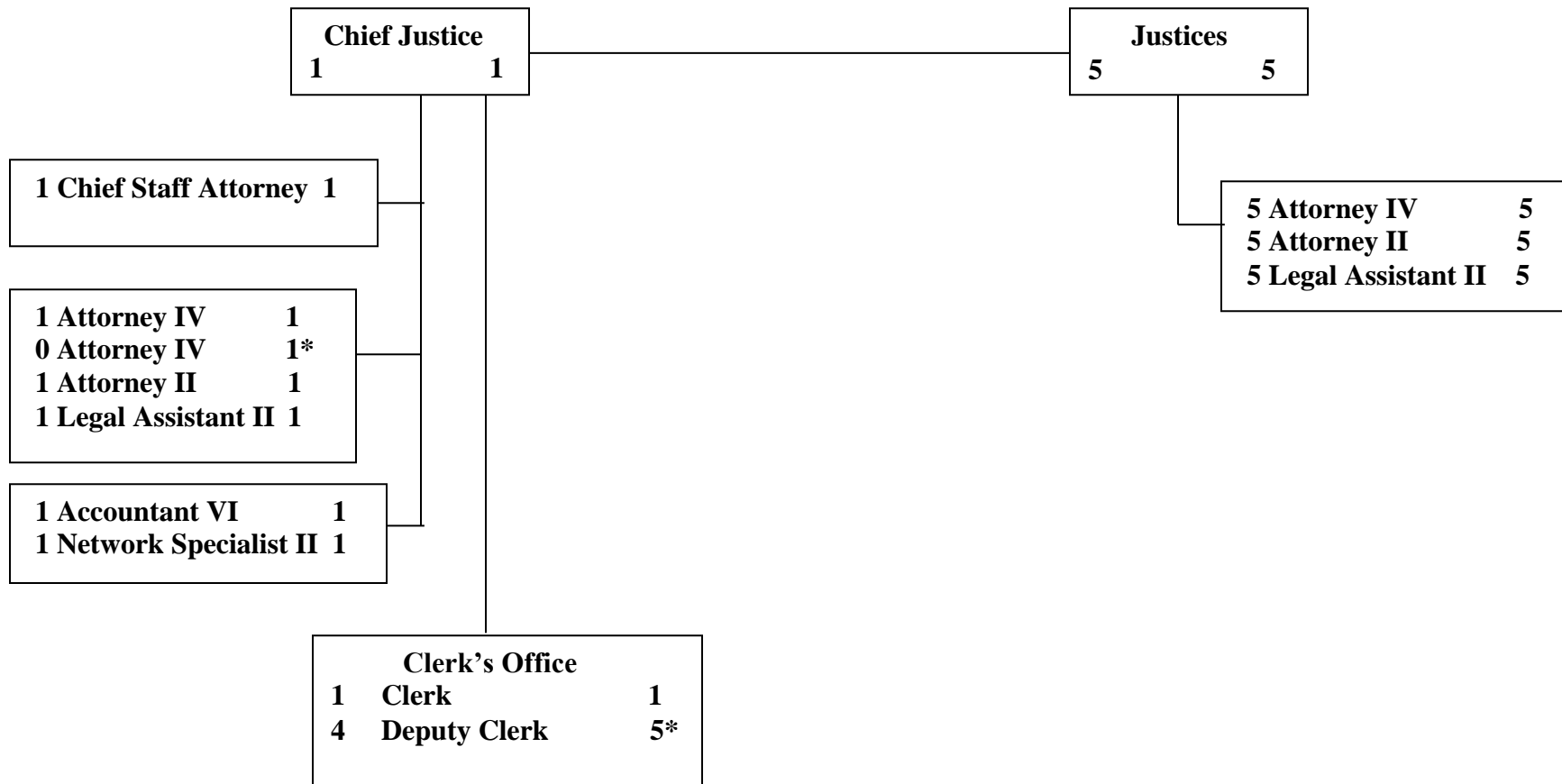
233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Note: on Appropriated Receipts – At the direction of the LBB & Governor’s Office, this court has included appropriated receipts in the amount of \$18,000 reflecting reimbursement for copies of opinions and other court documents. These amounts are merely an offset for additional expenses incurred by the court, and do not constitute additional funds available for general expenditures for the court. The amount can vary significantly from year to year.

ORGANIZATIONAL CHART

Thirteenth Court of Appeals

2016-2017



* Employee related to Exceptional Item

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
1 Appellate Court Operations					
1 Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	2,504,257	2,802,502	2,802,501	2,802,502	2,802,501
TOTAL, GOAL 1	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
TOTAL, AGENCY STRATEGY REQUEST	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501

2.A. Summary of Base Request by Strategy

7/23/2014 3:34:19PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	2,272,914	2,565,602	2,565,601	2,565,602	2,565,601
SUBTOTAL	\$2,272,914	\$2,565,602	\$2,565,601	\$2,565,602	\$2,565,601
Other Funds:					
573 Judicial Fund	182,900	182,900	182,900	182,900	182,900
666 Appropriated Receipts	12,443	18,000	18,000	18,000	18,000
777 Interagency Contracts	36,000	36,000	36,000	36,000	36,000
SUBTOTAL	\$231,343	\$236,900	\$236,900	\$236,900	\$236,900
TOTAL, METHOD OF FINANCING	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance

7/23/2014 3:34:20PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 233	Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg				
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE</u>					
<u>1</u> General Revenue Fund					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2012-13 GAA)	\$2,255,542	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)	\$0	\$2,466,602	\$2,466,601	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)	\$0	\$0	\$0	\$2,565,602	\$2,565,601
<i>TRANSFERS</i>					
Section 11, Article IV Special Provisions, Appropriations for Judicial Compensation (2014-15 GAA)	\$0	\$99,000	\$99,000	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$(5,592)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					

2.B. Summary of Base Request by Method of Finance

7/23/2014 3:34:20PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 233		Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE</u>						
Strategy A.1.1, Appellate Court Operations (2012-13 GAA)		\$22,964	\$0	\$0	\$0	\$0
TOTAL,	General Revenue Fund	\$2,272,914	\$2,565,602	\$2,565,601	\$2,565,602	\$2,565,601
TOTAL, ALL	GENERAL REVENUE	\$2,272,914	\$2,565,602	\$2,565,601	\$2,565,602	\$2,565,601
<u>OTHER FUNDS</u>						
<u>573</u>	Judicial Fund No. 573					
	<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2012-13 GAA)		\$182,900	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)		\$0	\$182,900	\$182,900	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)		\$0	\$0	\$0	\$182,900	\$182,900
TOTAL,	Judicial Fund No. 573	\$182,900	\$182,900	\$182,900	\$182,900	\$182,900

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 233		Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>OTHER FUNDS</u>						
<u>666</u>	Appropriated Receipts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2012-13 GAA)					
		\$18,000	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2014-15 GAA)					
		\$0	\$18,000	\$18,000	\$0	\$0
	Regular Appropriations from MOF Table (2016-17 GAA)					
		\$0	\$0	\$0	\$18,000	\$18,000
	<i>LAPSED APPROPRIATIONS</i>					
	Lapsed Appropriations					
		\$(5,557)	\$0	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$12,443	\$18,000	\$18,000	\$18,000	\$18,000
<u>777</u>	Interagency Contracts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2012-13 GAA)					

2.B. Summary of Base Request by Method of Finance

7/23/2014 3:34:20PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 233		Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>OTHER FUNDS</u>						
		\$36,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)						
		\$0	\$36,000	\$36,000	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)						
		\$0	\$0	\$0	\$36,000	\$36,000
TOTAL,	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
TOTAL, ALL	OTHER FUNDS	\$231,343	\$236,900	\$236,900	\$236,900	\$236,900
GRAND TOTAL		\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501

2.B. Summary of Base Request by Method of Finance

7/23/2014 3:34:20PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 233	Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg				
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2012-13 GAA)	31.5	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2014-15 GAA)	0.0	35.0	35.0	0.0	0.0
Regular Appropriations from MOF Table (2016-17 GAA)	0.0	0.0	0.0	32.0	32.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over (Below) Cap	1.1	(3.0)	(3.0)	0.0	0.0
TOTAL, ADJUSTED FTES	32.6	32.0	32.0	32.0	32.0
NUMBER OF 100% FEDERALLY FUNDED FTES					
	0.0	0.0	0.0	0.0	0.0

2.C. Summary of Base Request by Object of Expense

7/23/2014 3:34:20PM

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)**233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg**

OBJECT OF EXPENSE	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1001 SALARIES AND WAGES	\$2,361,235	\$2,646,621	\$2,646,621	\$2,646,621	\$2,646,621
1002 OTHER PERSONNEL COSTS	\$53,868	\$59,000	\$59,000	\$59,000	\$59,000
2001 PROFESSIONAL FEES AND SERVICES	\$0	\$225	\$225	\$225	\$225
2003 CONSUMABLE SUPPLIES	\$14,433	\$16,213	\$16,213	\$16,213	\$16,213
2005 TRAVEL	\$13,956	\$16,000	\$16,000	\$16,000	\$16,000
2006 RENT - BUILDING	\$15	\$15	\$15	\$15	\$15
2007 RENT - MACHINE AND OTHER	\$10,843	\$13,593	\$13,593	\$13,593	\$13,593
2009 OTHER OPERATING EXPENSE	\$49,907	\$50,835	\$50,834	\$50,835	\$50,834
OOE Total (Excluding Riders)	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
OOE Total (Riders)					
Grand Total	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501

2.C.1. Operating Costs Detail ~ Base Request

Date: 7/23/2014

Time: 3:34:20PM

84th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 233 Agency: Thirteenth Court of Appeals District, Corpus Christi-Edinburg

BASE REQUEST STRATEGY: 1-1-1 Appellate Court Operations

Code	Type of Expense	Expended 2013	Estimated 2014	Budgeted 2015	Requested 2016	Requested 2017
2	Postage	\$12,000	\$12,000	\$8,000	\$8,000	\$8,000
6	Registrations/Training	0	700	1,000	1,000	1,000
7	Subscriptions/Periodicals	261	261	300	300	300
24	Freight/Delivery	4,313	3,500	3,500	3,500	3,500
26	Books (expensed)	2,709	3,200	3,200	3,200	3,200
27	Membership Dues	150	150	150	150	150
64	SORM Assessment	2,572	2,600	3,300	3,300	3,300
74	Computer Software - Expensed	1,295	0	1,500	1,500	1,500
132	Maintenance & Repairs Pers Prop EX	105	0	200	200	200
192	Furn, Equip & Other Expensed	3,824	2,839	4,099	3,955	3,954
195	Payroll Health Insurance Contrib.	22,678	25,585	25,585	25,730	25,730
Total, Operating Costs		\$49,907	\$50,835	\$50,834	\$50,835	\$50,834

2.D. Summary of Base Request Objective Outcomes
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

7/23/2014 3:34:20PM

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Goal/ Objective / Outcome		Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1	Appellate Court Operations					
	1 Appellate Court Operations					
KEY	1 Clearance Rate					
		99.43%	99.00%	100.00%	100.00%	100.00%
KEY	2 Percentage of Cases Under Submission for Less Than One Year					
		98.96%	99.00%	100.00%	100.00%	100.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years					
		99.53%	100.00%	100.00%	100.00%	100.00%

2.E. Summary of Exceptional Items Request
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/23/2014
TIME : 3:34:21PM

Agency code: 233

Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Priority	Item	2016			2017			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Similar Funding	\$211,060	\$211,060	2.0	\$211,060	\$211,060	2.0	\$422,120	\$422,120
Total, Exceptional Items Request		\$211,060	\$211,060	2.0	\$211,060	\$211,060	2.0	\$422,120	\$422,120
Method of Financing									
	General Revenue	\$211,060	\$211,060		\$211,060	\$211,060		\$422,120	\$422,120
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$211,060	\$211,060		\$211,060	\$211,060		\$422,120	\$422,120
Full Time Equivalent Positions				2.0				2.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

2.F. Summary of Total Request by Strategy
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/23/2014

TIME : 3:34:21PM

Agency code: 233

Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
1 Appellate Court Operations						
1 Appellate Court Operations						
1 APPELLATE COURT OPERATIONS	\$2,802,502	\$2,802,501	\$211,060	\$211,060	\$3,013,562	\$3,013,561
TOTAL, GOAL 1	\$2,802,502	\$2,802,501	\$211,060	\$211,060	\$3,013,562	\$3,013,561
TOTAL, AGENCY STRATEGY REQUEST	\$2,802,502	\$2,802,501	\$211,060	\$211,060	\$3,013,562	\$3,013,561
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$2,802,502	\$2,802,501	\$211,060	\$211,060	\$3,013,562	\$3,013,561

2.F. Summary of Total Request by Strategy
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/23/2014
TIME : 3:34:21PM

Agency code: 233	Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg					
Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
General Revenue Funds:						
1 General Revenue Fund	\$2,565,602	\$2,565,601	\$211,060	\$211,060	\$2,776,662	\$2,776,661
	\$2,565,602	\$2,565,601	\$211,060	\$211,060	\$2,776,662	\$2,776,661
Other Funds:						
573 Judicial Fund	182,900	182,900	0	0	182,900	182,900
666 Appropriated Receipts	18,000	18,000	0	0	18,000	18,000
777 Interagency Contracts	36,000	36,000	0	0	36,000	36,000
	\$236,900	\$236,900	\$0	\$0	\$236,900	\$236,900
TOTAL, METHOD OF FINANCING	\$2,802,502	\$2,802,501	\$211,060	\$211,060	\$3,013,562	\$3,013,561
FULL TIME EQUIVALENT POSITIONS	32.0	32.0	2.0	2.0	34.0	34.0

2.G. Summary of Total Request Objective Outcomes
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/23/2014

Time: 3:34:21PM

Agency code: 233

Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg

Goal/ Objective / Outcome

		BL 2016	BL 2017	Excp 2016	Excp 2017	Total Request 2016	Total Request 2017
1	Appellate Court Operations						
1	Appellate Court Operations						
KEY	1 Clearance Rate						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
KEY	2 Percentage of Cases Under Submission for Less Than One Year						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
KEY	3 Percentage of Cases Pending for Less Than Two Years						
		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
Output Measures:						
1	Number of Civil Cases Disposed	420.00	394.00	407.00	407.00	407.00
2	Number of Criminal Cases Disposed	448.00	451.00	450.00	450.00	450.00
Explanatory/Input Measures:						
1	Number of Civil Cases Filed	325.00	310.00	318.00	318.00	318.00
2	Number of Criminal Cases Filed	274.00	303.00	287.00	287.00	287.00
3	Number of Cases Transferred in	122.00	107.00	115.00	115.00	115.00
4	Number of Cases Transferred out	0.00	0.00	0.00	0.00	0.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$2,361,235	\$2,646,621	\$2,646,621	\$2,646,621	\$2,646,621
1002	OTHER PERSONNEL COSTS	\$53,868	\$59,000	\$59,000	\$59,000	\$59,000
2001	PROFESSIONAL FEES AND SERVICES	\$0	\$225	\$225	\$225	\$225
2003	CONSUMABLE SUPPLIES	\$14,433	\$16,213	\$16,213	\$16,213	\$16,213
2005	TRAVEL	\$13,956	\$16,000	\$16,000	\$16,000	\$16,000
2006	RENT - BUILDING	\$15	\$15	\$15	\$15	\$15
2007	RENT - MACHINE AND OTHER	\$10,843	\$13,593	\$13,593	\$13,593	\$13,593
2009	OTHER OPERATING EXPENSE	\$49,907	\$50,835	\$50,834	\$50,835	\$50,834

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
TOTAL, OBJECT OF EXPENSE		\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
Method of Financing:						
1	General Revenue Fund	\$2,272,914	\$2,565,602	\$2,565,601	\$2,565,602	\$2,565,601
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$2,272,914	\$2,565,602	\$2,565,601	\$2,565,602	\$2,565,601
Method of Financing:						
573	Judicial Fund	\$182,900	\$182,900	\$182,900	\$182,900	\$182,900
666	Appropriated Receipts	\$12,443	\$18,000	\$18,000	\$18,000	\$18,000
777	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
SUBTOTAL, MOF (OTHER FUNDS)		\$231,343	\$236,900	\$236,900	\$236,900	\$236,900
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$2,802,502	\$2,802,501
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
FULL TIME EQUIVALENT POSITIONS:		32.6	32.0	32.0	32.0	32.0
STRATEGY DESCRIPTION AND JUSTIFICATION:						

233 Thirteenth Court of Appeals District, Corpus Christi-Edinburg

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
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The Thirteenth Court of Appeals was created in 1912 by an amendment to Article 1822, V.T.C.S. pursuant to authority granted by Article V Section 1, Texas Constitution. This Court has intermediate appellate jurisdiction of civil and criminal cases appealed from lower courts in civil cases where judgments rendered exceeds \$100, exclusive of costs and other civil proceedings as provided by law; and in criminal cases except in post-conviction writs of habeas corpus and where the death penalty has been imposed. The Court has jurisdiction in twenty counties.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Court of Appeals are, by nature, small agencies with highly specialized staff. The main factor which drives this strategy is the need to attract and retain highly trained and knowledgeable staff to work on an increasing caseload.

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
METHODS OF FINANCE (INCLUDING RIDERS):				\$2,802,502	\$2,802,501
METHODS OF FINANCE (EXCLUDING RIDERS):	\$2,504,257	\$2,802,502	\$2,802,501	\$2,802,502	\$2,802,501
FULL TIME EQUIVALENT POSITIONS:	32.6	32.0	32.0	32.0	32.0

3.B. Rider Revisions and Additions Request

Agency Code:		Agency Name:	Prepared By:	Date:	Request Level:
		Thirteenth Court of Appeals	Dorian E. Ramirez	August 4, 2014	Baseline
Current Rider Number	Page Number in 2014-15 GAA	Proposed Rider Language			
4	IV-42	<p>Appellate Court Exemptions. The following provisions of Article IX of this Act do not apply to the appellate courts:</p> <ul style="list-style-type: none"> a. Article IX, § 6.10, Limitation on State Employment Levels b. Article IX, § 6.13, Performance Rewards and Penalties c. Article IX, §14.03, Limit on Expenditures - Capital Budget <p><i>Request continuation of this rider.</i></p>			
5	IV-42	<p>Appropriation: Unexpended Balances Between Fiscal Years within the Biennium. Any unexpended balances from appropriations made to the appellate courts for fiscal year <u>2014-2016</u> are hereby appropriated to the same court for fiscal year <u>2015-2017</u> for the same purposes.</p> <p><i>Request continuation of this rider. Change years to reflect the new biennium.</i></p>			
7	IV-42	<p>Appellate Court Salary Limits. It is the intent of the Legislature that no intermediate appellate court may pay more than one chief staff attorney promoted or hired after September 1, 2013, more than \$94,950 annually under this provision. Further, it is the intent of the Legislature that no intermediate appellate court may pay other permanent legal staff hired or promoted after September 1, 2013 more than \$84,175 annually. This provision does not apply to law clerk positions at any appellate court.</p> <p><i>Request deletion of this rider. These positions are covered under the State of Texas Position Classification Act, which determines the classification and compensation range of each position in the courts (and all state agencies). Originally, this rider was used to distinguish salary increases given specifically to the courts for attorney salaries from across-the-board increases for all state employees. Subsequent legislatures have addressed this issue through directive riders in Article IX to ensure there is no overlap or duplication of salary actions for specific classes of state employees. Currently, staff attorneys at the courts of appeals are the only position classification employees across the state with a mandated ceiling on the amount they can earn that is lower than the maximum allowed by the Position Classification Plan.</i></p> <p><i>This rider is no longer necessary, thus, the courts request that it be deleted.</i></p>			

3.B. Rider Revisions and Additions Request (continued)

8	IV-42	<p>Interagency Contracts for Assigned Judges for Appellate Courts. Out of funds appropriated in this Article to Strategies A.1.1, Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 2012 <u>2016</u> and 2013 <u>2017</u>, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3, Visiting Judges - Appellate in the Judiciary Section, Comptroller's Department.</p> <p><i>Request continuation of this rider. Change years to reflect the new biennium.</i></p>
9	IV-42	<p>Appellate Court Transfer Authority. The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices is authorized to transfer funds between appellate courts, notwithstanding any other provision in this Act and subject to prior approval of any transfer of funds by the Legislative Budget Board and the Governor. Any such transfer shall be made for the purpose of efficient and effective appellate court operations and management of court caseloads.</p> <p><i>Request continuation of this rider.</i></p>

4.A. Exceptional Item Request Schedule
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/23/2014
TIME: 3:34:22PM

Agency code: 233

Agency name:

Thirteenth Court of Appeals District, Corpus Christi-Edinburg

CODE	DESCRIPTION			Excp 2016	Excp 2017
		Item Name:	Similar Funding for Same-sized Courts		
		Item Priority:	1		
	Includes Funding for the Following Strategy or Strategies:	01-01-01	Appellate Court Operations		
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES			188,399	188,399
2003	CONSUMABLE SUPPLIES			2,000	2,000
2009	OTHER OPERATING EXPENSE			20,661	20,661
TOTAL, OBJECT OF EXPENSE				\$211,060	\$211,060
METHOD OF FINANCING:					
1	General Revenue Fund			211,060	211,060
TOTAL, METHOD OF FINANCING				\$211,060	\$211,060
FULL-TIME EQUIVALENT POSITIONS (FTE):				2.00	2.00

DESCRIPTION / JUSTIFICATION:

To continue meeting performance goals and dispose of more cases in less time, the guideline budgets have been revised to add funding that is needed to continue to recruit and retain a qualified staff. The additional funding will allow the court to continue the same size court initiative of a career ladder for attorneys, add a permanent staff attorney, and continue to make appropriate salary adjustments for non-legal staff to reflect increasing levels of responsibility.

EXTERNAL/INTERNAL FACTORS:

Appellate work requires specialized knowledge with the ability to analyze cases on appeal, assist with court opinions, and facilitate the processing of appeals to conclusion. This requires personnel that possess the requisite skills that can be obtained only through professional experience. Generally, law clerks do not possess the skills necessary to maximize efforts to assist the court in its workload. Entry level support staff lack the requisite skills to fully support the court in its workload. Funding this item will permit the Thirteenth Court of Appeals to decrease the time cases are under submission and the time cases are pending to levels consistent with historical court performance goals. The court's clearance rate would be at or slightly above 100%.

4.B. Exceptional Items Strategy Allocation Schedule84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/23/2014

TIME: 3:34:22PM

Agency code:	233	Agency name:	Thirteenth Court of Appeals District, Corpus Christi-Edinburg		
Code	Description		Excp 2016	Excp 2017	
Item Name:	Similar Funding for Same-sized Courts				
Allocation to Strategy:	1-1-1	Appellate Court Operations			
STRATEGY IMPACT ON OUTCOME MEASURES:					
1	Clearance Rate		100.00%	100.00%	
2	Percentage of Cases Under Submission for Less Than One Year		100.00%	100.00%	
3	Percentage of Cases Pending for Less Than Two Years		100.00%	100.00%	
OUTPUT MEASURES:					
1	Number of Civil Cases Disposed		400.00	400.00	
2	Number of Criminal Cases Disposed		460.00	460.00	
EXPLANATORY/INPUT MEASURES:					
1	Number of Civil Cases Filed		318.00	318.00	
2	Number of Criminal Cases Filed		287.00	287.00	
3	Number of Cases Transferred in		115.00	115.00	
4	Number of Cases Transferred out		0.00	0.00	
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES		188,399	188,399	
2003	CONSUMABLE SUPPLIES		2,000	2,000	
2009	OTHER OPERATING EXPENSE		20,661	20,661	
TOTAL, OBJECT OF EXPENSE			\$211,060	\$211,060	
METHOD OF FINANCING:					
1	General Revenue Fund		211,060	211,060	
TOTAL, METHOD OF FINANCING			\$211,060	\$211,060	
FULL-TIME EQUIVALENT POSITIONS (FTE):			2.0	2.0	

4.C. Exceptional Items Strategy Request
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/23/2014
TIME: 3:34:23PM

Agency Code:	233	Agency name:	Thirteenth Court of Appeals District, Corpus Christi-Edinburg
GOAL:	1 Appellate Court Operations	Statewide Goal/Benchmark:	0 - 0
OBJECTIVE:	1 Appellate Court Operations	Service Categories:	
STRATEGY:	1 Appellate Court Operations	Service: 01	Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2016	Excp 2017
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STRATEGY IMPACT ON OUTCOME MEASURES:

<u>1</u> Clearance Rate	100.00 %	100.00 %
<u>2</u> Percentage of Cases Under Submission for Less Than One Year	100.00 %	100.00 %
<u>3</u> Percentage of Cases Pending for Less Than Two Years	100.00 %	100.00 %

OUTPUT MEASURES:

<u>1</u> Number of Civil Cases Disposed	407.00	407.00
<u>2</u> Number of Criminal Cases Disposed	450.00	450.00

OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	188,399	188,399
2003 CONSUMABLE SUPPLIES	2,000	2,000
2009 OTHER OPERATING EXPENSE	20,661	20,661
Total, Objects of Expense	\$211,060	\$211,060

METHOD OF FINANCING:

1 General Revenue Fund	211,060	211,060
Total, Method of Finance	\$211,060	\$211,060

FULL-TIME EQUIVALENT POSITIONS (FTE):

2.0	2.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Similar Funding for Same-sized Courts

6.A. Historically Underutilized Business Supporting Schedule
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2014
Time: 3:34:23PM

Agency Code: 233 Agency: Thirteenth Court of Appeals District, Corpus Christi-Edinburg

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2012 - 2013 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2012			Total Expenditures FY 2012		HUB Expenditures FY 2013			Total Expenditures FY 2013	
			% Actual	Diff	Actual \$	% Goal		% Actual	Diff	Actual \$	% Goal	
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	\$0
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	\$0
32.7%	Special Trade Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	\$0
23.6%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	\$0
24.6%	Other Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	\$0
21.0%	Commodities	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	\$0
	Total Expenditures		0.0%		\$0	\$0		0.0%		\$0		\$0

B. Assessment of Fiscal Year 2012 - 2013 Efforts to Meet HUB Procurement Goals

Attainment:

The Court attained or exceeded 0% of the applicable statewide HUB procurement goals in fiscal year 2012 and fiscal year 2013.

Applicability:

The "Heavy Construction," "Building Construction," and "Special Trade Construction" categories are not applicable to agency operations in either fiscal year 2012 or 2013 since the agency did not have any strategies or programs related to construction.

Factors Affecting Attainment:

In both fiscal year 2012 and 2013, the goal of the "Other Services" category was not met since the only contract in that category was a specialized maintenance contract that limited the agency to contracting with one non-HUB vendor.

"Good-Faith" Efforts:

This Court has made the following good faith efforts to comply with the statewide HUB procurement goals per 34 TAC Section 20.13(d):

- ensured that contract specifications, terms, and conditions reflected the agency's actual requirements, were clearly stated, and did not impose unreasonable or unnecessary contract requirements,
- provided potential bidders with a list of certified HUBs for subcontracting, and
- prepared and distributed information on procurement procedures in a manner that encouraged participation in agency contracts by all businesses.

6.B. Current Biennium One-time Expenditure Schedule

Agency Code: 233	Agency Name: Thirteenth Court of Appeals	Prepared By: Dorian E. Ramirez	Date: 8/4/2014	
Item None	2014-2015 Est/Bud		2016-17 Baseline Request	
	Amount \$0	MOF	Amount \$0	MOF

6.H. Estimated Total of All Agency Funds Outside the GAA Bill Pattern
Thirteenth Court of Appeals

ESTIMATED GRAND TOTAL OF AGENCY FUNDS OUTSIDE THE 2016-17 GAA BILL PATTERN	\$ 102,500
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<u>Fund Name</u>	
Estimated Beginning Balance in FY 2014	\$ 53,311
Estimated Revenues FY 2014	\$ 32,530
Estimated Revenues FY 2015	\$ 30,697
FY 2014-15 Total	\$ 116,538
Estimated Beginning Balance in FY 2016	\$ 42,500
Estimated Revenues FY 2016	\$ 30,000
Estimated Revenues FY 2017	\$ 30,000
FY 2016-17 Total	\$ 102,500
Constitutional or Statutory Creation and Use of Funds:	
Subchapter C, Sec. 22.2041 Texas Government Code and Sec. 659.021 Texas Government Code.	
Method of Calculation and Revenue Assumptions:	
In accordance with above referenced statute, the District and County Clerks of the various courts in the counties that compose the Thirteenth Court of Appeals District are to collect and remit a \$5.00 filing fee on each civil suit filed in a county court, county court-at-law, probate court, or district court.	

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/23/2014
Time: 3:35:26PM

Agency code: 233 Agency name: Thirteenth Court of Appeals District, Corpus Christi-Edinburg

	REVENUE LOSS			REDUCTION AMOUNT			TARGET
Item Priority and Name/ Method of Financing	2016	2017	Biennial Total	2016	2017	Biennial Total	
1 Reduce Salaries and Staff							
Category: Programs - Service Reductions (Contracted)							
Item Comment: The 10% reduction would result in the loss of three (3) attorney positions. If the Court eliminates three attorneys, it will result in attorneys working for multiple judges which is less efficient than those working for an individual judge. The reduction in legal staff will drop the Court below the 2:1 ratio. The loss of attorneys would have the following effects: (1) reduce the dispositions of appeals, and (2) increase the time for which appeals remain pending during the biennium. To prevent the backlog of cases increasing and to maintain current disposition and clearance rates, the Court needs the assistance of a minimum of twelve attorneys for the six justices of the Court. The loss of three attorney positions would negatively impact performance measures, resulting in a clearance rate of 75%. Approximately 95% of the Court's budget is dedicated to salaries. Such a significant reduction will devastate the Court's ability to fulfill its mission of providing appellate services to twenty counties. Because a majority of the Court's funding is dedicated to salaries, and because the Court has previously reduced its operating expenses to the lowest possible amount, a 10% reduction can be achieved only through eliminating existing salaries.							
Strategy: 1-1-1 Appellate Court Operations							
General Revenue Funds							
1 General Revenue Fund	\$0	\$0	\$0	\$240,576	\$240,576	\$481,152	
General Revenue Funds Total	\$0	\$0	\$0	\$240,576	\$240,576	\$481,152	
Item Total	\$0	\$0	\$0	\$240,576	\$240,576	\$481,152	
FTE Reductions (From FY 2016 and FY 2017 Base Request)				3.0	3.0		
AGENCY TOTALS							
General Revenue Total				\$240,576	\$240,576	\$481,152	\$481,152
Agency Grand Total	\$0	\$0	\$0	\$240,576	\$240,576	\$481,152	
Difference, Options Total Less Target							
Agency FTE Reductions (From FY 2016 and FY 2017 Base Request)				3.0	3.0		

Agency code: **233**

Agency name: **Thirteenth Court of Appeals District, Corpus
Christi-Edinburg**

Strategy	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1-1-1 Appellate Court Operations					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$210,442	\$210,442	\$210,442	\$210,442	\$210,442
1002 OTHER PERSONNEL COSTS	4,838	4,838	4,838	4,838	4,838
2003 CONSUMABLE SUPPLIES	1,329	1,329	1,329	1,329	1,329
2005 TRAVEL	1,329	1,329	1,329	1,329	1,329
2007 RENT - MACHINE AND OTHER	1,114	1,114	1,114	1,114	1,114
2009 OTHER OPERATING EXPENSE	4,168	4,168	4,168	4,168	4,168
 Total, Objects of Expense	\$223,220	\$223,220	\$223,220	\$223,220	\$223,220
METHOD OF FINANCING:					
1 General Revenue Fund	187,220	187,220	187,220	187,220	187,220
777 Interagency Contracts	36,000	36,000	36,000	36,000	36,000
 Total, Method of Financing	\$223,220	\$223,220	\$223,220	\$223,220	\$223,220
FULL-TIME-EQUIVALENT POSITIONS (FTE):	2.8	2.8	2.8	2.8	2.8

Agency code: **233**

Agency name: **Thirteenth Court of Appeals District, Corpus
Christi-Edinburg**

		Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
GRAND TOTALS						
Objects of Expense						
1001	SALARIES AND WAGES	\$210,442	\$210,442	\$210,442	\$210,442	\$210,442
1002	OTHER PERSONNEL COSTS	\$4,838	\$4,838	\$4,838	\$4,838	\$4,838
2003	CONSUMABLE SUPPLIES	\$1,329	\$1,329	\$1,329	\$1,329	\$1,329
2005	TRAVEL	\$1,329	\$1,329	\$1,329	\$1,329	\$1,329
2007	RENT - MACHINE AND OTHER	\$1,114	\$1,114	\$1,114	\$1,114	\$1,114
2009	OTHER OPERATING EXPENSE	\$4,168	\$4,168	\$4,168	\$4,168	\$4,168
Total, Objects of Expense		\$223,220	\$223,220	\$223,220	\$223,220	\$223,220
Method of Financing						
1	General Revenue Fund	\$187,220	\$187,220	\$187,220	\$187,220	\$187,220
777	Interagency Contracts	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
Total, Method of Financing		\$223,220	\$223,220	\$223,220	\$223,220	\$223,220
Full-Time-Equivalent Positions (FTE)		2.8	2.8	2.8	2.8	2.8

8. A. Capital Expenditure Detail

Agency Code:	Court/Agency:	Strategy:			Prepared by:		Date:	Strategy:
233	Thirteenth Court of Appeals	Appellate Court Operations			Dorian E. Ramirez		8/4/2014	01
Itemization by Capital Expenditure Category		Number of Units	Unit Cost	Expended FY 2013	Estimated FY 2014	Budgeted 2015	Requested 2016	Requested 2017
Category	Description of Items							
	TOTAL							
GRAND TOTAL: CAPITAL EXPENDITURES								